

Appl. No. 10/600,730
SJO920000026US1A (HITG.028USD1)
Amdt. Dated August 2, 2005
Reply to Office Action of May 2, 2005

In the Drawings

Please accept the attached replacement drawing sheets 5/6 (Figs. 8 and 9a-b showing addition of "Prior Art" label to Fig. 9a).

REMARKS

The Office Action mailed May 2, 2005, has been reviewed and carefully considered.

Claim 1 has been amended and claims 4-5 have been canceled. Claims 1-3 and 6-11 are pending in the application. Applicant appreciates Examiner's indication of allowability of claim 22.

In paragraph 1 on page 2 of the Office Action, the specification was objected to because of an informality regarding the identification of the parent application.

Applicant respectfully traverses the rejections, but in the interest of expediting prosecution has amended the specification to overcome the objection.

In paragraph 2 on page 2 of the Office Action, the drawings were objected to because Fig. 9a required a label indicated that Fig. 9a is prior art.

Applicant respectfully traverses the rejections, but in the interest of expediting prosecution has amended Fig. 9a to overcome the objection. Replacement sheet 5/6 is attached hereto adding the label "Prior Art" to Fig. 9a.

In paragraphs 3-5 on pages two and three of the Office Action, claims 1-11 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. More particularly, claim 1 includes the phrase "negligible lift", which according to the Office Action renders the claim indefinite.

Applicant respectfully traverses the rejections, but in the interest of expediting prosecution has amended the claims to overcome the rejection. Applicant submits that the amendment to the claims do not narrow or change the scope of the invention.

In paragraph 8 on pages 3-4 of the Office Action, claims 1-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dorius et al. and in the alternative, in view of Bischoff et al.

Applicant respectfully traverses the rejections, but in the interest of expediting prosecution has amended the claims to overcome the rejection.

Applicant's invention, as recited in independent claim 1, requires at least "using a last etching to form a non-actuatable, wearable pad on the air bearing structure at the trailing edge, the wearable pad being formed around a transducer and extending above the air bearing surface, the wearable pad having a surface area of less than 5% of a total air bearing surface area and a predetermined height selected to be greater than or equal to the desired fly height minus a disk roughness, wherein the wearable pad erodes during use to produce an interference of zero at the desired fly height."

In contrast, Dorius et al. merely discloses a method for etching a slider body to form more etch levels than etch steps used to form the etch levels. Dorius mentions that the air bearing surface is etched to minimize/optimize the fly height. However, Dorius does not suggest forming a contact slider, i.e., wherein the fly height is zero. Rather, according to Dorius, the slider is designed to fly above the disk (column 5, lines 45-47). In fact, Dorius suggests that the slider preferably not make contact with the disk because of the risk of damage and may include rounded edges to minimize damage if such contact should occur (column 8, lines 55-58).

In addition, Dorius et al. fail to suggest forming a wearable pad at the trailing edge. Dorius fails to mention a wearable pad having a predetermined height selected to be greater than or equal to the desired fly height minus a disk roughness, wherein the wearable pad erodes during use to produce an interference of zero at the desired fly height.

Because the Dorius et al. fail to teach, disclose or suggest all the elements of at least the independent claims, the § 103(a) rejection is improper and should be withdrawn.

Bischoff et al. fail to remedy the deficiencies of Dorius et al. While Bischoff et al. do disclose a contact type slider, Bischoff et al. fail to disclose a wearable pad. Rather, Bischoff et al. disclose a slider having a trailing pad that is formed using a ceramic material to provide reduced wear. Accordingly, the trailing pad is not meant to quickly erode during use to produce an interference of zero at the desired fly height. Instead of a wearable pad, Bischoff et al. discloses a wear pad that minimizes wear of the head.

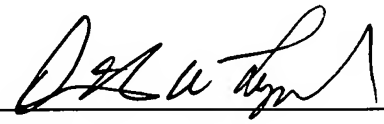
Therefore, Bischoff et al. and Dorius et al., alone or in combination, fail to teach, disclose or suggest all the elements of at least the independent claims. Accordingly, Applicant respectfully submits that the § 103(a) rejection is improper and should be withdrawn.

On the basis of the above amendments and remarks, it is respectfully submitted that the claims are in immediate condition for allowance. Accordingly, reconsideration of this application and its allowance are requested. Please charge/credit Deposit Account No. 50-2587 (SJO920000026US1A) for any deficiencies/overpayments.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Attorney for Applicant, David W. Lynch, at 423-757-0264.

Respectfully submitted,

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